

July 18, 2014

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
July 18, 2014

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JUNE 20, 2014

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD JUNE 20, 2014?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	141.....	18
Agriculture	336.....	20
Arts Council	15.....	2
Capitol Development Board.....	47.....	0
Central Management Services.....	1,440.....	114
Children and Family Services	2,629.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	361.....	68
Commerce Commission	72.....	0
Corrections	10,892.....	99
Criminal Justice Authority	56.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	82.....	5
Employment Security.....	1,307.....	30
Environmental Protection Agency.....	791.....	17
Financial & Professional Regulation.....	434.....	45
Gaming Board	159.....	6
Guardianship and Advocacy	102.....	7
Healthcare and Family Services	2,096.....	26
Historic Preservation Agency.....	165.....	16
Human Rights Commission.....	15.....	2
Human Rights Department.....	145.....	9
Human Services	11,888.....	74
Illinois Torture Inquiry Relief Commission	3.....	1
Independent Tax Tribunal	1.....	0
Insurance	235.....	16
Investment Board	4.....	2
Juvenile Justice.....	1,012.....	22
Labor.....	90.....	11
Labor Relations Board Educational.....	12.....	2
Labor Relations Board State.....	19.....	2
Law Enforcement Training & Standards Bd.	18.....	2
Lottery.....	136.....	6
Military Affairs	120.....	3
Natural Resources	1,242.....	30
Pollution Control Board	22.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	34.....	1
Public Health.....	1,146.....	43
Racing Board.....	2.....	1
Revenue.....	1,766.....	54
State Fire Marshal	131.....	12
State Police.....	1,117.....	6
State Police Merit Board	4.....	2
State Retirement Systems.....	103.....	2
Transportation	2,171.....	0
Veterans' Affairs	1,332.....	9
Workers' Compensation Commission.....	133.....	11
TOTALS	44,063.....	856

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C1. Illinois Dept. of Commerce & Economic Opportunity – proposed exemption

Position Number	40070-42-00-010-05-01
Position Title	Senior Public Service Administrator
Bureau/Division	Marketing
Functional Title	Assistant Deputy Director
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Cook County

C2. Illinois Dept. of Commerce & Economic Opportunity – proposed exemption

Position Number	37015-42-00-000-03-01
Position Title	Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Deputy Chief of Staff
Incumbent	Vacant
Supervisor	Director
Location	Cook County

C3. Illinois Dept. of Commerce & Economic Opportunity – proposed exemption

Position Number	40070-42-10-030-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Regional Economic Development
Functional Title	African American Business Development
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Cook County

C4. Illinois Dept. of Commerce & Economic Opportunity – proposed exemption

Position Number	40070-42-10-040-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Regional Economic Development
Functional Title	Latino Business Development
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Cook County

C5. Illinois Dept. of Commerce & Economic Opportunity – proposed exemption

Position Number	40070-42-40-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Employment and Training
Functional Title	Illinois Works Manager
Incumbent	Vacant
Supervisor	Deputy Director who reports to the Director
Location	Sangamon County

CMS Recommendation: “These positions do meet the reporting criteria of the commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

D1. Illinois Dept. of Financial and Professional Regulation – proposed exemption

Position Number	40070-13-01-900-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Legal Affairs
Functional Title	Deputy General Counsel, Real Estate Program Counseling
Incumbent	Vacant
Supervisor	General Counsel who reports to the Secretary
Location	Cook County

D2. Illinois Dept. of Financial and Professional Regulation – proposed exemption

Position Number	40070-13-00-050-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Secretary’s Staff
Functional Title	Chief of Staff
Incumbent	Matthew T. Glavin
Supervisor	Secretary
Location	Cook County

CMS Recommendation: “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Dept. of Financial and Professional Regulation – proposed exemption

Position Number	40070-13-50-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Real Estate Licensing and Education
Functional Title	Deputy Director
Incumbent	Vacant
Supervisor	Director of Real Estate who reports to the Secretary
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F. Illinois Dept. of Financial and Professional Regulation – proposed exemption

Position Number	37015-13-04-500-00-01
Position Title	Public Service Administrator
Bureau/Division	Legislative Affairs
Functional Title	Legislative Liaison
Incumbent	Vacant
Supervisor	Legislative Director who reports to the Secretary
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G. Illinois Department of Human Services – proposed exemption

Position Number	13852-10-19-040-00-02
Position Title	Executive II
Bureau/Division	Office of Legislation
Functional Title	Legislative Liaison
Incumbent	Vacant
Supervisor	Manager-Office of Legislation who reports to the Secretary
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

H. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-41-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Rehabilitation Services / Bureau of Home Services
Functional Title	Bureau Chief for Home Services
Incumbent	Nyle Robinson
Supervisor	Director, Division of Rehabilitation Services, who reports to the Assistant Secretary, who reports to the Secretary
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

I. Illinois Department of Juvenile Justice – proposed exemption

Position Number	40070-27-00-000-30-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief of Professional Development and Training
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

J. Illinois State Police – proposed exemption

Position Number	40070-21-00-600-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Concealed Carry Licensing Review Board (CCLRB)
Functional Title	Executive Director, Concealed Carry Licensing Review Board
Incumbent	Vacant
Supervisor	Chairman, Concealed Carry Licensing Review Board, who reports to the Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

K. State Retirement Systems – proposed exemption

Position Number	40070-50-74-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Executive Secretary
Functional Title	Policy Advisor
Incumbent	Vacant
Supervisor	Executive Secretary
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C1: Assistant Deputy Director (Commerce & Economic Opportunity)**
- C2: Deputy Chief of Staff (Commerce & Economic Opportunity)**
- C3: African American Business Dev. (Commerce & Economic Opportunity)**
- C4: Latino Business Development (Commerce & Economic Opportunity)**
- C5: Illinois Works Manager (Commerce & Economic Opportunity)**
- D1: Deputy General Counsel, Real Estate Program Counseling (Financial & Professional Regulation)**
- D2: Chief of Staff (Financial & Professional Regulation)**
- E: Deputy Director (Financial and Professional Regulation)**
- F: Legislative Liaison (Financial & Professional Regulation)**
- G: Legislative Liaison (Human Services)**
- H: Bureau Chief for Home Services (Human Services)**
- I: Chief of Professional Development and Training (Juvenile Justice)**
- J: Executive Director, Concealed Carry Licensing Review Board (State Police)**
- K: Policy Advisor (State Retirement Systems)**

VI. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

The following class titles were submitted for abolishment and revision by the Director of the Illinois Department of Central Management Services (CMS):

B. Hearing and Speech Technician 1 (abolish)
Hearing and Speech Technician 2 (revise)

CMS Classification Analysis: “The Hearing and Speech Technician 1 has not been used since 1983. We have determined the title should be abolished because the Education and Experience Section under Desirable Requirements states, ‘Requires successful completion of an approved hearing and Speech Technician Trainee Program (Option A)’ and the Hearing and Speech Technician Trainee was abolished July 16, 1992.

Similarly, the requirements portion of the Hearing and Speech Technician 2 has been modified to reflect only the extant educational requirements: of at least two years of college and courses in social science, psychology and education or a related field. All references to the Mental Health Technician Trainee and Mental Health Technician 1 have been deleted.

Changes in the Distinguishing Features of Work, Illustrative Examples of Work and Desirable Requirements for the Hearing and Speech Technician 2 are not sufficient to require a change in compensation.”

**C. Veterans Employment Representative 1 (revise)
Veterans Employment Representative 2 (revise)**

CMS Classification Analysis: “Staff at the Department of Employment security (DES) requested a class study of the Veterans Employment Representative 1-2 classes. In order to properly provide services in keeping with the United States Department of Labor guidelines and restrictions on adding positions, DES has found it necessary to change portions of its own organizational structure, resulting in some modifications to class work roles. Specifically, positions classified as Veterans Employment Representative 2 (VER 2) no longer oversee the work of Veterans Employment Representative 1 (VER1) or office staff. Therefore, we have removed the functional supervision work role from the 2 level. The VER 1 retains the work role of serving as a Disabled Veteran’s Outreach Program Specialist, while the Ver 2 works as the Local Veterans’ Employment Representative.

Other minor changes to reflect changes in terminology and update language have been made to both class specifications. No reclassifications are anticipated as a result of this study. No change in compensation is proposed for these classes.”

WILL THE COMMISSION APPROVE THE ABOLISHMENT AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON AUGUST 1, 2014?

- B. Hearing and Speech Technician 1 (abolish)
Hearing and Speech Technician 2 (revise)**
- C. Veterans Employment Representative 1 (revise)
Veterans Employment Representative 2 (revise)**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	5/31/14	6/30/14	6/30/13
Aging	2	2	1
Agriculture	0	0	2
Arts Council	0	0	1
Central Management Services	7	6	2
Children and Family Services	6	6	10
Corrections	1	1	0
Criminal Justice Authority	1	1	0
Gaming Board	1	0	0
Healthcare and Family Services	7	10	21
Historic Preservation Agency	5	5	0
Human Rights Department	0	1	0
Human Services	1	4	1
Insurance	1	1	1
Juvenile Justice	1	1	0
Natural Resources	0	28	0
Property Tax Appeal Board	0	0	3
Public Health	0	0	2
Revenue	3	3	5
State Police Merit Board	0	0	1
State Retirement Systems	1	3	0
Veterans' Affairs	1	1	4
Totals	38	73	54

July 18, 2014

X. PUBLICLY ANNOUNCED DECISION RESULTING FROM REMAND

DA-46-12 ON REMAND FROM CIRCUIT COURT (12-MR-968)

Employee	Toria N. Jones	Appeal Date	03/08/12
Agency	Healthcare and Family Services	Decision Date	10/19/12
Type	Discharge	ALJ	Andrew Barris
Proposal for Decision	Uphold discharge	Final Decision	Uphold discharge.
Remanded	Discharge is reversed; remanded to Commission to review the record and conduct such proceedings as may be necessary to determine what discipline, short of discharge, is appropriate	Proposal for Decision on Remand	Appropriate discipline short of discharge

DOES THE COMMISSION DETERMINE AN APPROPRIATE LEVEL OF DISCIPLINE SHORT OF DISCHARGE IN THE ABOVE MATTER IN ACCORDANCE WITH THE REMAND ORDER FROM THE CIRCUIT COURT?

XI. INTERLOCUTORY APPEAL

S-36-14

Employee	Keith Perry	Appeal Date	4/07/14
Agency	Human Services	Decision Date	7/07/14
Type	Suspension	ALJ	Daniel Stralka
Issue(s)	Motion To Dismiss filed for no jurisdiction (employee was suspended pending discharge)	Proposal for Decision	Motion to Dismiss granted subject to approval of Commission; no jurisdiction.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XII. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-27-14

Employee	Rodney E. Walker	Appeal Date	2/21/14
Agency	Human Services	Decision Date	7/03/14
Appeal Type	Discharge	Proposal for Decision	90-day suspension plus duration of suspension pending discharge
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XIII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-31-14

Employee	Andrew R. Garrett	Appeal Date	3/17/14
Agency	Revenue	Decision Date	7/08/14
Type	Discharge	Proposal for Decision	Dismissed; withdrawn.

DA-45-14

Employee	Tammy S. Shehorn	Appeal Date	5/27/14
Agency	Human Services	Decision Date	7/07/14
Type	Discharge	Proposal for Decision	Dismissed; withdrawn.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?

XIV. CONSIDERATION OF RESCHEDULING THE AUGUST AND SEPTEMBER 2014 MEETINGS

WILL THE COMMISSION RESCHEDULE THE AUGUST AND SEPTEMBER 2014 MEETINGS?

XV. STAFF REPORT

XVI. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Friday, August 15, 2014 at the Commission's Chicago office.

XVII. MOTION TO ADJOURN